

HAMPTON CONSERVATION COMMISSION PUBLIC HEARING  
MARCH 24, 2015  
MINUTES

**PRESENT:**

Jay Diener, Chair  
Peter Tilton, Vice Chair  
Barbara Renaud, Clerk  
Diane Shaw  
Dan O'Connor, Alternate  
Pat Swank, Alternate

Also Present: Rayann Dionne, Conservation Coordinator  
Mary-Louise Woolsey - Selectmen Representative

**CALL TO ORDER:**

The meeting was called to order at 7:00 p.m. by Chairman, Jay Diener, at the Town Hall Selectmen's Meeting Room

**ELECTION: Chair, Vice-Chair, Financial Administrator**

**MOTION:** Mr. Tilton moved to elect Jay Diener as Chairman of the Conservation Commission.

**SECOND:** Ms. Swank

**VOTE:** 5 in favor 1 abstain (Mr. Diener)

**MOTION PASSED**

**MOTION:** Ms. Renaud moved to elect Peter Tilton as Vice Chairman of the Conservation Commission.

**SECOND:** Ms. Shaw

**VOTE:** 5 in favor, 1 abstain (Mr. Tilton)

**MOTION PASSED**

**MOTION:** Ms. Shaw moved to elect Barbara Renaud as Financial Administrator of the Conservation Commission.

**SECOND:** Ms. Swank

**VOTE:** 5 in favor, 1 abstain (Ms. Renaud)

**MOTION PASSED**

**CONSIDERATION OF MINUTES:**

**MOTION:** Mr. Tilton moved to approve the February 24, 2015 minutes, as edited

**SECOND:** Ms. Shaw

**VOTE:** 5 in favor, 1 abstain (Mr. Diener)

**MOTION PASSED**

**APPOINTMENTS:** There were no appointments this evening.

Mr. Diener congratulated the Commission on the outcome of the relative Warrant Articles at Town Meeting and thanked the Commission for their support.

**APPLICATIONS:**

1. 120 Glade Path, Kevin and Cynthia Perrault, Installation of a 150 ft dock including a 118 ft pier, 24 ft log ramp and 10 ft x 20 ft float. This is a Town Wetlands Permit.

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**Mrs. Perreault was present for the meeting.**

Mrs. Perreault stated that the NHDES has extended the Wetlands permit for the installation of the 150 ft dock for an additional five years and she is hoping the Town would follow. She stated that nothing has changed from the original application and the layout is exactly the same as it was in 2009 when the original permit was approved. She stated that the top part of the dock comes off four feet from the land of Hampton and the rest is State property and marsh,

Mr. O'Connor asked how the dock will be built, and Mrs. Perreault said there will be 18 pilings installed from a barge. The decking will be wood with the last two feet being aluminum according to the permit. The aluminum portion will have to be removed in the winter and will be stored in the rear of the house, behind the shed. The float will also be aluminum and will be removed each winter. Mr. Tilton commented that four pilings for a 10 x 12 foot float would be adequate.

The previous approval letter was provided to the Commission.

Mr. O'Connor asked if the elevation has been checked with FEMA regulations, and Mrs. Perreault said that it is high and approximately 7 -10 feet off the water, with it being about 6 feet above water during the highest tides.

**MOTION: Mr. Tilton moved to approve and grant a Town Wetlands Permit for installation of a 150 ft dock including a 118 ft pier, 24 ft log ramp and 10 x 20 ft float at 120 Glade Path, according to the conditions approved in the original 2009 permit and with the following stipulations:**

- **The removable aluminum section of the dock shall be removed and stored on the upland side of the retaining wall during the winter months.**
- **Lawn Care must follow the guidelines set forth in the LHDES Shoreland Protection Act (ENV-Wq 1400). No storage of grass clippings or yard waste in the wetland or its buffer.**
- **Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete. Silt fence and hay bales (salt hay bales for tidal areas);**
- **The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed. No additional fill is allowed. No change in elevation is allowed;**
- **There are to be no additional structures such as sheds, swimming pools, gazeboes, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Special Permit is required for the erection of any additional structure(s) in the buffer;**
- **The Conservation Commission shall be notified in writing upon commencement and completion of the project and before an occupancy permit is issued. Schedule a final inspection with the Conservation Coordinator upon completion of the project; and,**
- **This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance, Section 2.3.5 for information on permit extensions.**

**SECOND: Ms. Renaud**

**VOTE: 5 in favor, 1 abstain (Mr. Diener)**

**MOTION PASSED**

Ms. Woolsey asked if Ms. Dionne does a final inspection when notified by the applicant that a project is complete. Ms. Dionne stated she has a final inspection form to check whether or not all Wetland permit

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stipulations have been addressed, as well as photographs, which are included in the project file. If a Certificate of Occupancy is a part of the project, Ms. Dionne is a signatory on the Certificate.

**OLD BUSINESS:**

**a) Projects :**

**1. Rain Barrel Project.**

The Rain Barrel project is underway and barrels will be painted before April school vacation. The barrels will go to Wayne's Auto Body for seal coating and the Auction will be held on May 16<sup>th</sup> during the Garden Club Plant Sale. Aquarion donated the barrels. One or two of the barrels may be raffled during the Environmental Awards Ceremony in June at the Seashell. This is the fourth year of the Rain Barrel Project.

**2. Rain Garden Cost Share Grant.**

There will be two workshops for rain garden information and discussion of the Grant opportunity. Ms. Dionne said there will be an article in the newspaper as well as posting on the Town Web Site regarding the meetings. The first workshop will give a basic overview on rain gardens. Further, DES is assisting and will be giving a presentation on rain gardens. There will be a 25% out-of-pocket expense and one business and one residence will be awarded a grant. The application will be due on April 22<sup>nd</sup> and there will be an application work-session on April 20<sup>th</sup>. The Rain Gardens will be awarded on May 8<sup>th</sup>, after which time installation dates will be determined. DES may provide some labor and plants. It was noted that it is good to be partnering with DES which will be ongoing throughout the "Soak up the Rain" program. There will be different types of infrastructure projects under this project which will raise awareness. The second workshop will be held May 18<sup>th</sup> at the Library.

Mr. Tilton reported that a Face Book page has been set up for the Conservation Commission.

There was discussion between Ms. Woolsey and the Commission regarding the Aquarion Wells and the possibility of Aquarion purchasing additional parcels of land around their wells. Ms. Dionne said she has made Aquarion aware of parcels that may be available. Mr. Diener said it is important to protect parcels in the Aquifer protection zone. Ms. Dionne noted that the master plan vision for acquiring more land around Aquarion well heads has been on the books for the past 20 years.

Other concerns, issues, and priorities mentioned and briefly discussed were a joint operation meeting with the State on issues related to conservation; Taylor River and Bridge Concerns; Underwood Bridge; and Evacuation signs.

Ms. Dionne said that a series of slides are being selected which will become a series of "Did you know – Making Conservation a Habit" on Channel 22. The slides will be available at the next meeting for review. Suggestions for encouraging use of our conservation lands and easements were snowshoeing, bird talks, and walks to involve tree identification.

**NEW BUSINESS:**

**Summer/Conservation easement internship.**

Mr. Diener stated efforts are being made to institute a process to monitor conservation easements and properties. There are a few that do not warrant monitoring as they are in the marsh, but others are more significant and should have a walk-through once or twice a year to check on the terms of the easement.

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This has not been done because people do not have the time. The idea of a summer intern came up and it was suggested to try and get an intern from UNH. This could be incorporated into the budget, and he will try to find out the typical pay for an intern. Further, having an intern would provide some help in monitoring the conservation properties while giving a student experience in the field. Mr. O'Connor said his company pays engineering interns \$16.00 per hour.

The Commission agreed with the proposal to have an internship. Additional information will be provided.

**a) 2016 Warrant Articles.**

**Aquifer Protection Zone** – There is no statement about what one can do or cannot do with regard to pesticides or fertilizer. Pesticide and fertilizer use has to be enforced and penalties imposed if using them in the prohibited zones. The Building Inspector can give an order to cease and desist through a certified letter, with a second certified letter being sent if still in use. If there is no response and the pesticides continue to be used, the matter goes to the Town Attorney and a penalty is imposed. Mr. Diener said that Ms. Dionne sends a reminder letter about Wetland Ordinances, what they are there for, and how to protect property. This is a general reminder that there are issues that must be dealt with.

Mr. Diener requested suggestions for 2016 Warrant Articles including, stated Ms. Dionne, those that would help to protect the Buffer Zones

**b) Marshland Donation - Map 181, Lot 30**

Ms. Dionne reported there has been an offer of a donation of land. The land is at the rear of Birch Road and is a 2.5 acre parcel.

**MOTION: Mr. Renaud moved to accept the donation of land at the rear of Birch Road consisting of 2.5 acres, shown on Map 181, Lot 30.**

**SECOND: Mr. Tilton**

**VOTE: 5 in favor, 1 abstain (Mr. Diener)**

**MOTION PASSED**

**c) Town Forest – Next Steps.**

The Commission discussed the complaints from abutters about target shooting in the Town Forest. This is not a managed range and is mostly kids not being managed by adults. It is a safety issue and a liability problem. It is “posted” during the hunting season. The Conservation Commission sets the rules and enforcement should be emphasized. There was discussion of trying to obtain use of the Town shooting range. It was suggested there be a formal memo from the Commission to the Board of Selectmen and perhaps it would get out to the public with support from the neighbors. It was noted the police want to make improvements to their range and, if a fee were charged, there would be a funding source for improvements. Additional information will be forthcoming.

**MOTION: Ms. Renaud moved to initiate action and begin the process to find an alternative to target shooting in the Town Forest.**

**SECOND: Ms. Shaw**

**VOTE: 5 in favor, 1 abstain (Mr. Diener)**

**MOTION PASSED**

**d) Review Ice Pond mowing quote- meadow** – There was discussion on the mowing of the meadow. The DPW mows once during a season. Ms. Dionne spoke with the Recreation Department, but they were not responsive. Mr. Diener said there is a resident who lives on Ice Pond who said he could take

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care of the meadow mowing for \$150.00 per cut monthly May through September. This, he said, would be a benefit to the Town and this regular mowing may help to get rid of the knot weed.

**MOTION: Ms. Swank moved to approve the bid by Aquatec to mow the Ice Pond meadow at a cost of no more than \$150.00 per cut monthly from May to September.**

**SECOND: Ms. Renaud**

**VOTE: 5 in favor, 1 abstain (Mr. Diener)**

**MOTION PASSED**

**e) Independent freshwater wetland delineation reviews.**

Mr. Diener and Ms. Dionne spoke of the workshop they attended, along with other seacoast community conservation commissions. He said there are many issues in common with the other communities and one particular item to pursue is the issue of different or unreliable wetlands delineations and the criteria for soil scientists to use in their soil delineations. There was a proposal to have a representative of the UNH Cooperative Extension give a presentation on this topic and to ask the NH Association of Conservation Commissions to also participate so the conservation commissions could come up with some kind of a document that all communities could work with, allowing for the communities to tell the soil scientists that “this is the way you should be doing the delineations.” Also discussed was the concept of variable buffers, with the difference being based on the quality of the wetlands. There is a problem getting clear delineations and it was questioned who decides the quality of the wetlands. It was noted it would be easier to deal with the wetlands if all were treated the same (as Hampton does currently).

Also discussed were Designated Prime Wetlands and how much more they are protected. DES disallows expedited permits in Prime Wetlands, however, the Town has no additional protections for Prime Wetlands.

**CONSERVATION COORDINATOR AND CHAIR UPDATE:**

Ms. Dionne reviewed two plans that are going before the PRC on Wednesday, March 25th. She also spoke of the recommendations, questions, and suggestions that she will share at the meeting. After a lengthy discussion, the Commission also provided their concerns and questions. The projects involve proposed developments at Timber Swamp and Drakeside/Towle Farm Roads.

**TREASURER’s REPORT** – There was no report this evening.

**ADJOURN:**

**MOTION: Mr. Tilton moved to adjourn the meeting at 9:30 p.m.**

**SECOND: Ms. Shaw**

**VOTE: 6 in favor**

**MOTION PASSED**

Respectfully submitted,  
Anne Marchand, Recorder